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DECLARATION OF BRIAN S. WILSON ON BEHALF OF NONPARTY DEFENDANT BARENTZ NORTH AMERICA

- I, Brian S. Wilson, hereby declare under the penalty of perjury:
- 1. I serve as the Chief Financial Officer for non-party Barentz North America ('Barentz") and have been in this role for the last ten years. I have personal knowledge of the facts stated herein.
- 2. I make this declaration on behalf of non-party Barentz in response to the Court's order dated August 14, 2024 (Docket No. 66) and Local Rule 79-5(f)(3), requiring Barentz to explain why the documents produced under subpoena to Plaintiffs in this matter must be kept under seal rather than subject to public disclosure.
- 3. Barentz's Household Care, Industrial & Institutional Cleaning Group (collectively, the "HI&I Group") makes, among other things, top-tier dishwashing, laundry, floor care, surface cleaners, pet care solutions, and vehicle care products.
- 4. The HI&I Group previously developed and made 22 Rejuvenate products including: (1) the Floor Cleaners; (2) Floor Restorers; (3) Cabinet & Furniture Cleaner; (4) Cabinet & Furniture Restorer; (5) Cabinet & Furniture Restorer; (6) Carpet & Upholstery Pet Stain Remover; (7) Carpet Cleaner; (8) Granite & Stone Cleaner; (9) Grout Deep Cleaner; (10) Luxury Vinyl Floor Cleaner; (11) Marble, Granite, and Stone Floor Cleaner; (12) Outdoor Color Restorer; (13) Restorer Wipes; (14) Shine Refresher; (15) Siding Restorer; (16) Soap Scum Restorer; (17) Stainless Steel Foam Cleaner & Polish; (18) Stone, Tile & Laminate Floor Cleaner; (19) Tile & Grout Everyday Cleaner; (20) Woods Floor Cleaner; (21) Woods Floor Restorer (Satin); and (22) Woods Floor Restorer (Gloss).
- 5. The formulations for these products are proprietary to Barentz, are confidential, and are considered trade secrets of Barentz. They were produced in response to the subpoena served by Plaintiffs on May 26, 2022. In connection with this production, Barentz designated these formulations as confidential pursuant to the Stipulated Protective Order entered in this matter on May 13, 2021 (Docket No. 19). To our knowledge, no party in this matter has objected to this designation. Nor would anyone have any legitimate basis to do so.

- 6. These formulations reflect confidential trade secrets of Barentz, which Barentz developed at its own considerable expense.
- 7. Were the parties to the litigation were allowed to publish Barentz's formulations in whole or part, Barentz would be irreparably harmed, both in the disclosure of its confidential trade secrets without compensation and in the loss of the revenues Barentz would likely incur due to competitors' wrongful use of Barentz's trade secrets. Though Barentz no longer makes the products for the Defendant in this case, it continues to make similar products with similar formulations for other companies.
- 8. Any publication of Barentz's proprietary formulations, in whole or part, in the public domain would destroy the commercial value of Barentz's trade secrets by spoiling Barentz' commercial advantage over competitors and providing competitors with means of developing copycat products.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct except for matters stated on my information and belief, and as to those matters, I believe them to be true.

Executed on this 29th day of August 2024 in Avon, Ohio.

